

REMARKS

In the outstanding official action, claims 1-5 were rejected under 35 USC 102(b) as being anticipated by Goden, with claims 6 and 7 being rejected under 35 USC 103(a) as being unpatentable over Fukuda in view of Miyashita, for the reasons of record.

In response, claim 1, the sole independent claim, has been amended to more particularly and precisely recite the instant invention in a manner which is clearly patentably distinguishable over the cited and applied reference, and it is respectfully submitted that claim 1, and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied reference for the reasons detailed below.

More particularly, claim 1 has been amended to more positively and precisely recite that the drive means during operation apply reset potential values to the electrodes as the interval potential values for bringing the charged particles into a predetermined reset position between displaying the picture and displaying the subsequent picture, whereby the pixels have substantially reproducible appearances.

While it is suggested in the Action that this general subject matter (as previously less precisely claimed) is shown in Fig. 15A

of Goden, it is respectfully submitted that the cited figure and the corresponding description in paragraphs [0144]-[0149] neither show nor suggest the aforementioned subject matter as now more clearly and precisely recited. Specifically, the description of Figure 15A does not disclose applying reset potential values to the electrodes to bring the charged particles into a predetermined reset position. On the contrary, Goden states that "total reset is not required" [0145] and Figure 15B, which shows the display at each time period of the cited Figure 15A, shows the presence of a series of display pictures in each time period with no reset condition between the picture displays. Finally, the reference does not show or suggest that the application of reset potential values to bring the charged particles into a predetermined reset position between pictures can result in the pixels having substantially reproducible appearances, as now specifically and positively recited. Support for this additional recitation in claim 1 is to be found in the instant specification at page 2, line 2.

In view of the foregoing amendments and arguments, it is respectfully submitted that independent claim 1 as herewith amended, and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied

reference, and that allowance of the currently-pending claims is now justified.

With regard to the rejection of claims 6 and 7, it is respectfully submitted that these claims depend from and further limit claim 1, and are therefore likewise allowable. Furthermore, it is noted that while claims 6 and 7 are clearly rejected as being unpatentable over Fukuda in view of Miyashita in paragraph 11 of the Action, the immediately-following explanation of the rejection with regard to claims 6 and 7 in paragraphs 12 and 13 of the Action discuss only the Goden and Nakao references and do not mention the Fukuda and Miyashita references at all. Accordingly, it is respectfully requested that, should the instant application not be found allowable for the reasons detailed above, a new non-final Action be issued in which the references cited against claims 6 and 7 are properly applied as against the claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the instant application is now in condition for allowance, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 
Steven R. Biren, Reg. 26,351
Attorney
(914) 333-9630